

From: Ian Danby
To: Microsoft ATR
Date: 12/10/01 2:54am
Subject: Comment on proposed settlement

I strongly urge the Department of Justice to consider all proposals by the nine states who have not agreed to this settlement prior to acceptance by the court. The remedies suggested by the dissenting states seem to me to be a better remedy than the published Final Judgment.

I am concerned that there is wording in the Final Judgment that can be used by Microsoft to follow the letter of the agreement without the spirit. For instance "timely manner" for disclosing information on new versions of the operating system. As someone who works in the software industry, I am convinced that that will come to mean a day or two before it is put into widespread use. Developers interfacing with the product need more advance notice. Also, I believe there are some loopholes with regard to Microsoft not revealing source code for almost every piece of middleware and server interaction.

The dissenting states have pointed out problems in XP, which has been released after this Final Judgment was published. That alone convinces me that this settlement is not sufficient.

Regards,

Ann Danby